

The ghosts are the machines

LEFT: Chris Hood, an industrial design senior, adjusts an "anthropometric" mannequin in his ergonomics class Monday. Ergonomics is the study of how people relate to objects and their environment. Products are ergonomically designed for safety, ease of use and comfort.

BELOW: Industrial design senior Chris Frank, left, and Chris Hood demonstrate how they use the mannequins in ergonomics.

PHOTOGRAPHS BY JENIFER LAPOLLA—SPARTAN DAILY



Buying practices criticized

Audit, former employee detail procedure flaws

BY LAURA KLEINMAN
Spartan Daily Staff Writer

The integrity of Purchasing and Logistical Services, an office authorized to spend millions of SJSU dollars, is being attacked by a former office employee.

"I was only there for seven months, but I can honestly say I saved the university between \$40,000 and \$50,000 and no one cared," former buyer Rich Kinsey said.

Kinsey received a B.S. in Business Management from SJSU in 1975 and his Certified Purchasing Management certification from the National Association of Purchasing Management.

According to Human Resources and Employee Relations Director Emily Kelly, Kinsey was terminated during his probationary period for "not meeting performance expectations."

While Kinsey did not dispute instances of inappropriate behavior, he said "the students of SJSU have the right to have competent people handling their money."

Purchasing Office expenditures totaled more than \$21.7 million for fiscal year 1991-92, and have already exceeded \$13.6 million this fiscal year, which begins in July.

The purchasing office was last audited in December, 1991, by the CSU Chancellor's Office.

Five of the auditor's 17 formal recommendations included obtaining required document approvals, eliminating purchases made before preparing a purchase order, using more standing or open purchase orders to eliminate repetitious paperwork and inconsistencies in pricing, and obtaining and retaining price quotes on all purchases between \$1,000 and \$10,000.

The recommendations echoed Kinsey's concerns.

In his letter to Gov. Wilson and Treasurer Kathleen Brown dated Jan. 12, Kinsey said "thousands, if not millions, of dollars could be saved in this state if people hired to spend the state's money knew how to spend it wisely."

While working for the university, Kinsey says he saw several "fraudulent acts" performed by buyers under the direction of Purchasing and Logistical Services Director James Hill.

More specifically, these "acts" performed by buyers included spending up to \$50,000 without the approval of management, not obtaining required

See KINSEY, Page 3

Moulder Hall suspects' cases dismissed

BY BILL ERB
Spartan Daily Staff Writer

No new charges will be filed against the three former SJSU students accused of igniting the 1990 Moulder Hall fire that injured 21 students.

The three former suspects, Terrence Lloyd Jones, 22, Joel Moreman Flanders, 20, and Matthew James Meridith, 22, all had charges against them dismissed Friday.

After analyzing the evidence against the three, Deputy District Attorney Lynn Knapp says he is not surprised by Judge Raymond E. Cunningham's decision.

The state has "no intention" of

pursuing this matter any further, Knapp said.

"At this time, the case is considered closed," he said.

The key to the suspects' successful defense was the sofa where the blaze started.

"We know they moved the sofa," Knapp said. "We also know Jones attempted to light it with a lit cigarette. What we don't know is who applied the open flame to the sofa."

State Fire Marshal Greg Smith testified that if a lit cigarette caused the blaze, the sofa would have "pumped smoke for 40 minutes" before it burst into flames, Knapp said.

A witness testified that she climbed over the sofa to get to her room less than five minutes before the flames erupted, Knapp said.

"Someone had to apply an open flame in order for it to be in flames in less than five minutes," he said.

In the early morning hours of Oct. 19, 1990, flames erupted in the sofa, which was moved in front of room 315 in the east wing of Moulder Hall from a student lounge as a prank, according to reports published in the Spartan Daily. The fire quickly spread through the third floor. Nine of the 21 injured students were hospitalized and more

See MOULDER HALL, Page 6

Associated Students brainstorm to lessen budget effects

BY MINERVA PANLILIO
Spartan Daily Staff Writer

A newsletter on the budget and a parking rebate are possibilities for students after a weekend retreat by the Associated Students.

Eleven of the 14 A.S. officers headed for South Lake Tahoe Jan. 29, not to ski, but to discuss how they can help students during these hard fiscal times.

The group carpooled up Friday night and started the retreat right away.

That evening they had brainstorming sessions on discussion

topics for the next day. They met Saturday from 9:30 a.m. to 10 p.m., breaking only for lunch and dinner.

During this meeting they divided into two major task groups. One group discussed the budget and other financial matters, while the other talked about student life.

One of the solutions officers came up with was to create a newsletter about the budget.

"Most students are not aware on where we stand today," Director of Communications Roofie Bhure said. "We need to give them facts, figures and educate them."

According to Business Affairs Director Ann Truong, the newsletter will be out near mid-March.

The A.S. is also concerned about the parking situation.

Due to the inconvenience students have endured with the closing of Seventh Street Garage this semester, President Todd Lavering said, the A.S. feels students should get a rebate on the \$81 they paid for the parking permit. The A.S. is now working toward that goal.

Student Health Services, which is expected to face a large cut next

See RETREAT, Page 3

Seventh Street garage opens with three decks

BY THEODORE SCHMIDT
Spartan Daily Staff Writer

The first three floors of the Seventh Street Garage will reopen today for normal service said Lori Stahl, SJSU public affairs officer.

The first floor is for employee permits. The second and third floors are for residence hall permits and general permits. All floors of the garage should be in operation by the middle of next week, Stahl said.

The Fourth Street Garage has been admitting Seventh Street Garage permit holders to alleviate parking strain. Today the Fourth Street Garage returns to normal operation.

"The reopening of the Seventh Street Garage should relieve some pressure off the Fourth and Tenth Street Garages," Stahl said.

SJSU student Doug Allen was extremely happy to hear about the garage's reopening. Allen, who lives in the apartments across from the Seventh Street Garage, said he could not even run errands during the day for fear of losing his parking space.

"I had to find a parking space by coming home at two in the morning," Allen said.

Most of the disabled parking at SJSU is

I had to find a parking space by coming home at two in the morning.

Doug Allen
SJSU student

in the Seventh Street Garage. When the garage was closed, temporary disabled spaces had to be made. These temporary parking spaces will be removed by Monday.

The Park and Ride shuttle bus will continue its extended schedule, which runs from 7:15 a.m. to 10 p.m., until Feb. 16. On Feb. 17, the shuttle will return to its regular schedule, which runs from 7:15 a.m. to 5:45 p.m.

Day passes are being sold in the Seventh Street Garage. They will not be sold at the Park and Ride lot at Humboldt and Seventh streets as they have been since the closure of the garage. The garage is now open to permit parking and general parking.

EDITORIAL

Double standards single out women candidates

Women are held up to a blinding light while men are allowed to slip by in the dark

President Bill Clinton said Monday that Zoe Baird and Kimba Wood were "absolutely not" subjected to a double standard because their child care arrangements were scrutinized.

Excuse me President Clinton, but the Spartan Daily begs to differ for these three reasons:

1. Commerce Secretary Ron Brown, former chairman of the Democratic Party, disclosed Sunday that he failed to pay Social Security taxes for a part-time house cleaner.

He clearly broke the law that requires an employer to pay taxes for anyone who earns more than \$50 in a four-month period.

Judge Wood, a possible candidate for attorney general, admitted hiring an illegal alien in 1986.

But what she did was not against the law because she hired the nanny before the immigration statute was passed. She did pay Social Security taxes.

Brown was not asked to step down from his position while Wood was forced to withdraw her name from consideration as attorney general.

2. Yes, Baird did voluntarily disclose hiring illegal aliens while not paying Social Security taxes.

This did not become a major issue until it initiated public outcry. It was then that the Senate Judiciary Committee started drilling her about her

child care practices.

Brown said he was never asked about that matter during his nomination process.

Why was Baird drilled while Brown wasn't even asked, if there isn't a double standard?

No male nominee was asked by the Senate committee to disclose house-keeping or child care arrangements, according to newspaper reports.

Wood was asked repeatedly during interviews with the president, Hillary Clinton and White House officials whether she had a "Zoe Baird problem."

3. Clinton administration officials announced from now on all candidates for government jobs requiring Senate confirmation will be asked if they violated tax laws on household workers or hired illegal immigrants.

The key word here is "all candidates."

So they admitted they didn't ask "all candidates" before — just the women.

Are women the only ones who take care of child and home? Does this not apply to men also? Do you think if Kimba Wood was Kenneth Wood she would have had to go through the same ordeal? We think not.

Fathers should be under the same scrutiny that mothers are forced to go through.

If the Senate committee is going to scrutinize a woman on how she runs her house and takes care of her children, they should do the same for the men.

It's 1993 — it's time for the White House to wake up.



FRED LIMPERT — SPARTAN DAILY

A Clinton gas tax: driving the deficit away

Taxes. What an icky, nasty word — one that sticks in the back of the throat and clogs the mucous membranes as that lingering "X" forces its way out with a good supply of sarcastic spit.

It's a subject that leaves a sickly feeling in the bottom reaches of the stomach because it gets people where they hurt.

But when it comes down to it, taxes are necessary. President Bill Clinton knows this. Americans know this.

But no one wants to talk about it.

Still, one of the many problems facing Clinton now is who to tax.

One idea that deserves serious consideration is a hefty gas tax — the higher the better. Before the phlegm starts to build up too much, let's take a look at the benefits a gas tax would generate.

Although no tax program can be called a panacea, taxing 30 to 40 cents on every gallon would help solve quite a few pressing problems, while helping to change the bad habits

many Americans have acquired.

The first thing the tax would do is pump more money into some of the programs Clinton has proposed but has yet to outline.

Our dependency on oil is reaching ridiculous proportions.

One such area that needs immediate attention is the federal deficit.

Instead of just being another president who promises to lower the deficit, Clinton could finally take care of this time bomb, soon to explode in our faces — or at least, he could slow down the clock.

Even if current growth trends continue, economists say Clinton will still have to implement a tax program to reach his goal of halving the deficit.

A more obvious reason for a gas tax is to control the massive amounts of pollution going into the air. With higher gas prices, people wouldn't drive so much or would find alternative means such as carpools or public transportation.

This is where Al Gore should come into the picture. The environment is his forte, but so far his involvement in such matters has been nonexistent.

He should be coaching Clinton on air pollution and the costliness of relying on non-renewable resources such as oil.

Our dependency on oil is reaching ridiculous proportions.

We even go to war in Iraq to protect our uncontrollable obsession with the automobile. And as for the relief effort in Somalia, it was recently discovered that some major oil companies had economic interests there.

So much for humanitarian aid. The oil industry is one area that deserves to be taken down a few pegs. The Clinton-Gore administration must



Jim Batcho

Elephant Talk

educate people on the need to change their driving habits.

Too often, people drive their cars for useless reasons. It's not necessary for people to drive around the corner to buy a 12-pack of beer when walking is just as quick and provides much-needed exercise.

Encouraging Americans to reconsider their priorities in transportation methods would save stress and money and once again give people the ability to breathe.

Jim Batcho is a Daily staff columnist. His column appears every Wednesday.

LETTERS TO THE EDITOR

Include Gilbert in search for head coach

Editor,

I hope that SJSU includes Mr. Claude Gilbert, former coach, in its national search for a football coach.

If it does, it can take advantage of two unique opportunities.

First, the university is presented with a unique opportunity to attempt to hire Mr. Gilbert, a quality coach with demonstrated ability to provide a winning record and, more importantly in terms of long-range goals, the stability which is needed for a quality football program.

Second, the university is presented with the unique opportunity to attempt to remedy the gross unfairness with which Mr. Gilbert was treated during a previous administration in the Athletic Department, San Jose State University.

This talented and dedicated coach should be at the top of the list of the national search to restore stability to the football program at SJSU.

Tom Harney,
A.B. Business Administration, 1952
M.A. Education, 1964

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Definitions of ourselves limit choices we make

Most people tend to define themselves during their twenties and show the world who they are or what kind of adult they are going to be.

But often how we define ourselves and others tends to limit us in the choices we make.

Sometimes we define ourselves in such narrow terms that we might pass up worthwhile opportunities.

A friend of mine has always been in the shadow of her prettier sister.

She accepted the role of being the "smart one." Although her parents never made reference to her sister being more attractive, they always encouraged my friend more than her sister in school.

Being called "the smart one" or the "difficult one" in your family or group of friends can limit what you pursue.

Think about the times you wanted to try something new but haven't because you tell yourself "people like me don't do that."

Think about the impressions or images conjured up when someone tells you they are a Republican, in a fraternity or are pro-choice.

We need to go beyond the label and see that being a member of a group is only a part of someone's life.

I've picked age to predominantly define myself. I've set certain goals I thought should be met by the time I was 18, 21, 25, 30 or other ages deemed "milestones."

When I look back, I realize I let some opportunities pass because the definition of "who I am" was too narrow.

Another friend has never let herself be defined by anybody's standards.

Last year she moved to Japan because she didn't listen

to those who told her a 30-year-old woman shouldn't leave a stable job, friends and family to live in a foreign country.

Push the limits. It's never too late to change the definitions.

She says the experience has been the best she's ever had.

Try a different role. Just because you're the "baby" in the family and are expected to heed the advice of your older siblings or you're the quiet and shy one in your group of friends doesn't mean you always have to conform to that role.

Surprise your friends and



Kara Garcia

Writer's Forum

family and present yourself to them in a different light: Be the first to start a conversation if you've always been known as a shy person. Try meeting and going out with different people.

Push the limits. It's never too late to change the definitions.

Kara Garcia is Daily staff columnist. Her column appears every other Wednesday.

FORUM PAGE POLICIES

Contributions to the page are encouraged from students, staff, faculty and others who are interested in the university at large.

Articles may also be mailed to the Forum Editor, The Spartan Daily, Department of

Journalism and Mass Communications, San Jose State University, One Washington Square, San Jose, CA 95192. Or articles may be faxed to (408) 924-3282.

Articles and letters MUST contain the author's name, address, daytime phone num-

ber, signature and major, if a student.

Submissions become the property of the Spartan Daily and will be edited for grammar, libel and length.

Categories available to non-Daily staff writers are:

• Campus Viewpoint: 300-

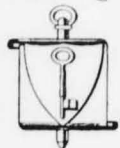
to 500-word essays on current campus, political or personal issues. Submissions should be well researched.

• Letters to the Editor: Up to 200 words responding to a certain issue or point of view. If they are longer, they may be edited for length.



Lance Crannell celebrates his second goal against UC Santa Cruz.

GOLDEN KEY NATIONAL HONOR SOCIETY



- WHO** - Informal meeting with officers.
WHAT - Pass out member certificates.
 - Leadership opportunities in the chapter.
 - Pick up calendar of upcoming events.
WHEN - Thursday, February 11, 3:30 to 5:30 p.m.
WHERE - The Roost - Look for The Golden Key Banner.

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SJSU rugby gets by on little money, but a lot of teamwork, dedication

BY JENNIFER KANE
 Spartan Daily Staff Writer

On Saturday, the SJSU Rugby Club won the McBeath Cup from UC Santa Cruz for the fifth time in seven seasons 29-23.

The club's focus on winning Saturday's match was to retain the McBeath Cup at SJSU. It has been playing against UCSC for more than 20 years. In 1987, Dean Lemont, captain of the SJSU team, established the trophy, naming it in honor of then-coach Ron McBeath. Today, McBeath is the club adviser.

Coach Mike McDonald, says that McBeath is the foundation of the team. "Rugby wouldn't be what it is at SJSU without Ron McBeath."

Tim McDonald, son of the coach and president of the club, says that the team believes, "He's a master. Whenever he's talking, everyone's quiet because he has so much knowledge to give. He's a very wise man."

The rugby club is an organization, not an official team at SJSU. How then can this group of college men be strong at the sport? "The coach has a rule," says SJSU rugby member, Doug Leonard, "You don't go to practice, you don't play in the game."

Apparently, most of the club members love to participate, even during practice. Virtually every player who doesn't attend practice, can't go due to class, work or injury. "The guys who can't go feel like they're letting the team down," says Tim McDonald. He feels that the team looks forward to practice. "When we're out there, we're giving it our all."

Work is only a part of what rugby is all about. Leonard, in his fourth season says, "it's a great sport to play because it provides an outlet. I have met a lot of great guys."

"It's like a brotherhood. Rugby

players are a special group of people," Mike McDonald said.

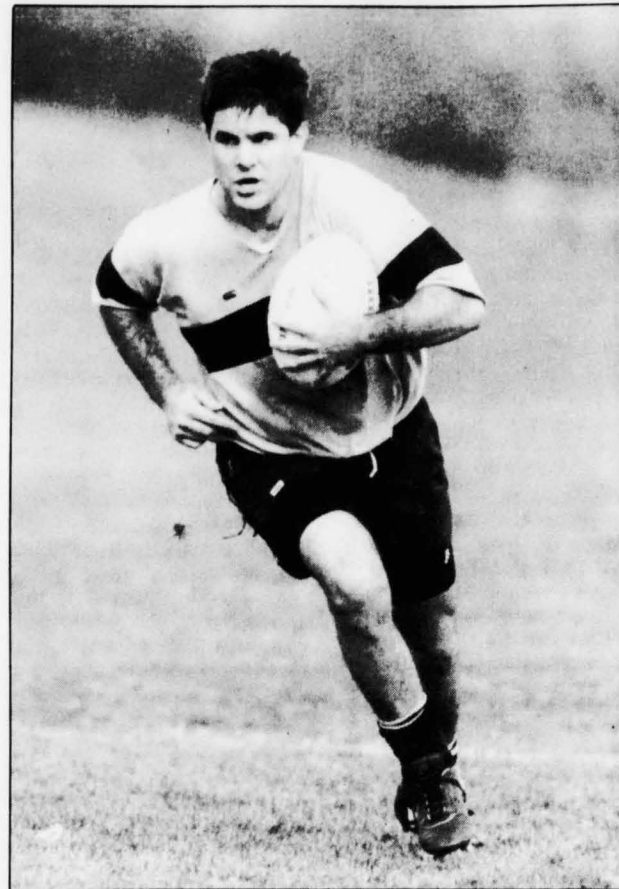
McBeath and McDonald agree that there is indeed a great social aspect involved in the game. They claim that throughout the 20 years that the Spartans and the UCSC Banana Slugs have been rivals, the teams still get to know one another after every match.

The Spartan Rugby Club is not affiliated with the athletic department at SJSU. Each member pays \$80 to join and they purchase their own uniforms.

Treasurer Brian Milano sees the advantages and disadvantages to this. "We like it this way because we have more freedom."

'It's like a brotherhood. Rugby players are a special group of people.'

Mike McDonald
 SJSU Rugby Club coach



PHOTOS BY CHRISTINA MACIAS—SPARTAN DAILY

Tim McDonald, team captain of the SJSU rugby team, runs with the ball during the McBeath Cup against UC Santa Cruz Saturday.

Tim firmly believes, "Win or lose, playing rugby is better than anything else we could be doing."

McBeath feels that the overall attitude of the SJSU Rugby team is very positive. "There is a very strong sense of commitment among the players. They know independence is important, but teamwork wins the game."

Coach McDonald and the

players want to emphasize that anyone is welcome to be a member of this dedicated and enthusiastic team. Everyone who wants to play can.

McBeath says the players are always delighted to have people watch. This Saturday the Spartans will face UC Davis. Their next home game is on Feb. 20 when they play UC Berkeley.

Men's gymnastics inch closer to goal

After a rough meet the week before, the men's gymnastics team came back for a strong outing against the University of California at Santa Barbara last Saturday.

The Spartans still came up

with the same result losing 259.95-251.15, but the point total was the highest of the year.

Even with the team loss, there were some individual bright spots. Chris Swircek, one of the top performers this year, earned an all-around victory as well as a second in pommel horse at 8.75 and first in the parallel bars with a score of 9.15.

Mikel Irizar also took a first in the floor exercise scored a 9.4. Kwame Torres also had some strong events including a first place in the vault with a score of 9.15.

The team is working toward a goal of 260 points in a meet, but because the team is small a slight-

ly battered, it will take some doing. The injuries include Troy Stewart with a muscle tear in his upper back, Torres with an injured knee, Irizar with an injured hand, Swircek has a tender shoulder.

"Because we have a small team, there is constant pressure to compete in all six events," said coach Ted Edwards.

Edwards also pointed out that many teams, including UCSB had as many as 11 gymnasts on their team. "We don't have the luxury of subbing in and out."

The next meet is on Friday at the Spartan gym against Cal Berkeley and former national champion Stanford. Action

begins at 7:30

Mens Gymnastics at University of California at Santa Barbara Feb. 6

(Top three performers from SJSU in each event) —POMEL-HORSE- Swircek 8.75, Stewart 7.75, Hatchett 7.65. FLOOR— Irizar 9.4, Swircek 9.05, Stewart 8.65. VAULT—Swircek 8.85, Irizar 8.80, Young 8.45, Torres 8.45. RINGS—Torres 9.15, Swircek 8.75, Irizar 8.7. HIGH BAR—Torres 8.65, Swircek 8.55, Irizar 8.5. Parallel bars—Swircek 9.15, Irizar 8.75, Hatchett 8.65. OVERALL—Swircek 53.10, Irizar 51.70, Young 44.15.



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Kimberley Peralta, Vice President of Calmecca Project, an academic support group, is wrapping a "condom rose" with cellophane in front of the Student Union Tuesday. The support

group will be selling the "condom roses" until Friday. The proceeds are for academic scholarships that Calmecca Project awards every year.

Moulder Hall: Arson suspects cleared

From page 1

than 170 were displaced by the inferno.

Two of the victims, Brian Young and roommate Thomas Byrd, suffered extensive burns in the fire.

Young's burns covered more than 55 percent of his body, including his face. Byrd suffered burns over 33 percent of his body. Both were 18 at the time of the incident.

"I was shocked when I heard the decision," said John Stein of the Boccardo law firm.

Stein represented Byrd, Young and a group of injured students in a multi-million dollar lawsuit

against the state. The suit was settled for more than \$3 million in July, the bulk of which went to Young and Byrd.

Stein said the state should have contemplated fire protection and that the building should have had sprinklers.

"There should have been after-fire protection to fight it or stop it," he said.

The law firm's experts estimated that the sprinkler system would have cost \$50,000, he said.

According to Stein, his office has some 30 depositions that "pretty well show" the fire was intentionally set.

He also said he offered his files

to the district attorney's office for review, but was not taken up on his offer.

According to Knapp, how the fire started remains a mystery.

"All we know now is one or all of the three (suspects) hold the key," he said.

The case will remain closed unless someone comes forward with new evidence.

"Never say anything like this is final," Knapp said. "But I wouldn't hold my breath. It took Brian Foote and Alan Borecky (the two students who came forward with new evidence in May 1992) two years to come forward."

Don't Just Say It, Say It Out Loud

Look for a message from your Valentine in the love lines, "Cupid's Message".

For your gift ideas look in the "Le Jour de L'amour" (A Day for Love) section.

Tomorrow in the *etc.*-the entertainment section.



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